

PATENT
P57025**REMARKS**

The Office action of 30 May 2007 (Paper No. 20070527) has been carefully considered.

Claims 1 thru 33 are being canceled without prejudice or disclaimer, and claims 34 thru 48 are being added. Thus, claims 34 thru 48 are pending in the application.

In paragraph 2 of the Office action, the Examiner rejected claims 28 thru 32 under 35 U.S.C. §101 and stated that the language "a computer-readable medium having computer-executable instructions" is not acceptable. As stated above, claims 28 thru 32 are being canceled without prejudice or disclaimer. Thus, the rejection under 35 U.S.C. §101 no longer applies.

In paragraph 5 of the Office action, the Examiner rejected claims 6 thru 9, 10 thru 12 and 19 thru 27 under 35 U.S.C. §112 (second paragraph) for lack of antecedent basis. As stated above, claims 7 thru 9, 10 thru 12 and 19 thru 27 are being canceled without prejudice or disclaimer. Thus, the rejection under 35 U.S.C. §112 (second paragraph) no longer applies.

In paragraph 7 of the Office action, the Examiner provisionally rejected claims 13, 18, 19 and 33 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 thru 37 of co-pending application Serial No. 10/755,172 (actually, 10/775,172 - *Ko et al.*, Publication No. 2004/0160968). As stated above, claims 13, 18, 19 and 33 are being canceled without prejudice or disclaimer. Thus, the rejection for alleged non-statutory obviousness-type double patenting no longer applies.

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In paragraph 9 of the Office action, the Examiner rejected claims 1, 13, 15, 16, 28, 29 and 33 under 35 U.S.C. §102 for alleged anticipation by Mukerjee *et al.*, U.S. Patent No. 6,405,041. In paragraph 12 of the Office action, the Examiner rejected claims 14 and 30 thru 32 under 35 U.S.C. §103 for alleged unpatentability over Mukerjee *et al.* '041. In paragraph 13 of the Office action, the Examiner objected to claims 2 thru 5, 17 and 18 for dependency upon a rejected base claim, but stated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. For the reasons stated below, it is submitted that the invention recited in the claims, as now amended, is distinguishable from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §102 and/or §103.

New independent claim 34 recites a system for operating wired and wireless phone services interconnectively, the system comprising the combination of a wired exchange, a mobile gateway, and a private base station controller (pBSC) with the functions recited in the claim. New independent claim 41 recites a method for operating wired and wireless phone services interconnectively, the method comprising the assigning and providing steps appearing in the first two paragraphs after the preamble of claim 41, those steps corresponding to functions performed by the mobile gateway as recited in independent system claim 34, the method further comprising determining, analyzing and distributing steps recited in the third, fourth and fifth paragraphs, respectively, after the preamble of independent method claim 41.

It is respectfully submitted that the inventive system and method recited in new independent claims 34 and 41, respectively, are distinguishable from the prior art cited by the Examiner (specifically, Mukerjee *et al.* '041) so as to preclude rejection under 35 U.S.C. §102 or §103.

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In the latter regard, it should be noted that, in paragraph 13 of the Office action, the Examiner indicated that dependent claims 2 thru 5 recited allowable subject matter because "the prior art of record fail to disclose or render obvious the combination of a wired exchange, a mobile gateway, a private base station controller as specified in claim 2" (quoting from page 9, lines 17-19 of the Office action). Thus, new independent system claim 34 should be allowed in the next Office action due to the fact that it recites a system which comprises the combination of a wired exchange, a mobile gateway and a private base station controller with functions identical, or quite similar, to the functions of the corresponding elements recited in previous dependent claim 2. That is to say, Mukerjee *et al.* '041 does not disclose or suggest a system for operating wired and wireless phone services interconnectively, wherein the system comprises a wired exchange, a mobile gateway and a private base station controller having the functions recited in new claim 34.

Similarly, independent method claim 41 should also be determined to be allowable over the prior art due to the fact that it recites a method for operating wired and wireless phone services interconnectively, wherein the method comprises the five steps (assigning, providing, determining, analyzing and distributing) corresponding to the functions of the various elements recited in independent system claim 34. Moreover, independent method claim 41 should be determined to be allowable over the prior art because Mukerjee *et al.* '041 does not disclose or suggest a method for operating wired and wireless phone services interconnectively, wherein the method comprises the assigning, providing, determining, analyzing and distributing steps recited in detail in independent claim 41.


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In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney.

No fee is incurred by this Amendment.

Respectfully submitted,


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